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Attorneys for Plaintiffs, CARIN and EDWARD MILLIGAN, California residents,  
 on behalf of themselves and all others similarly situated

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARIN and EDWARD MILLIGAN,  
 California residents, on behalf of themselves  
 and all others similarly situated,

Plaintiffs,

v.

TOYOTA MOTOR SALES, U.S.A., INC., a  
 California corporation and TOYOTA MOTOR  
 NORTH AMERICA, INC., a New York  
 corporation,

Defendants.

Case No. C09-05418 RS

**STIPULATION AND ~~PROPOSED~~  
 ORDER RESCHEDULING  
 HEARING ON DEFENDANTS'  
 MOTION TO DISMISS SECOND  
 AMENDED COMPLAINT AND  
 MODIFYING BRIEFING  
 SCHEDULE**

**CLASS ACTION**

WHEREAS Plaintiffs filed a Second Amended Complaint on March 9, 2010;

WHEREAS Defendant filed a Motion to Dismiss Second Amended Complaint on  
 March 30, 2010 with a hearing date of May 6, 2010; and

WHEREAS the parties have scheduled a mediation before Hon. Edward Wallin (Ret) of JAMS on June 9<sup>th</sup>, 2010 to explore the possibility of settling this matter and further agree that rescheduling the hearing on Defendant's Motion to Dismiss forty-five days (45) from the present scheduled date of June 10, 2010 to at or about July 22, 2010 will allow the parties to engage in mediation, and fully focus their attention and efforts toward resolution of the pending matter.

THEREFORE, the parties agree and stipulate as follows:

The briefing schedule and hearing date regarding Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint shall be modified as follows:

Deadline for Plaintiff's Response	July 6, 2010
Deadline for Defendant's Reply	July 13, 2010
Hearing	July 29, 2010

RESPECTFULLY SUBMITTED AND DATED this 7th day of May, 2010.

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Attorneys for Defendants

### ORDER

Based on the foregoing stipulation of the parties and good cause appearing, therefore it is SO ORDERED that the briefing schedule and hearing date regarding Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint be modified as follows:

Deadline for Plaintiff's Response	July 6, 2010
Deadline for Defendant's Reply	July 13, 2010
Hearing	July 29, 2010

Dated: May 7, 2010

  
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RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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